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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	NO. CR 20-00225-BLF
)	
Plaintiff,)	STIPULATION TO EXCLUDE TIME FROM
)	OCTOBER 6, 2020 TO JANUARY 19, 2021 AND
v.)	ORDER
)	
PAULA OROZCO,)	
)	
Defendant.)	

It is hereby stipulated by and between counsel for the United States and counsel for the defendant Paula Orozco, that (1) the October 6, 2020 status conference be vacated and reset to January 19, 2021 for a combined plea and sentencing; (2) the parties consent to referral to Probation for generation of the presentence report; and (3) time be excluded under the Speedy Trial Act from October 6, 2020 (the date time was previously excluded until) through January 19, 2021.

At the status conference held on September 15, 2020, the government and counsel for the defendant agreed that time be excluded under the Speedy Trial Act until the next court date (October 6, 2020) so that defense counsel could continue to prepare, including by reviewing the discovery already produced. At the status conference, the parties articulated a belief that the case would resolve and contemplated the possibility of a combined plea and sentencing after preparation of a presentence report

(consistent with General Order 72-6, released on September 16, 2020). The parties now stipulate and request that the previously scheduled status conference set for October 6, 2020 (and until which time was previously excluded) be vacated and reset to January 19, 2021 for a combined plea and sentencing. Additionally, the parties consent to the referral of Ms. Orozco to U.S. Probation for generation of the presentence report. The parties further stipulate and agree that excluding time from October 6, 2020 until January 19, 2021 will allow for the effective preparation of counsel given review of discovery to aid in the plea process. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice served by excluding the time from October 6, 2020 through January 19, 2021 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

The undersigned Assistant United States Attorney certifies that he has obtained approval from counsel for the defendant to file this stipulation and proposed order.

IT IS SO STIPULATED.

DATED: 9/28/2020

/s/
CHRISTOFFER LEE
Assistant United States Attorney

DATED: 9/28/2020

/s/
ROBERT CARLIN
Counsel for Defendant Paula Orozco

ORDER


Based upon the facts set forth in the stipulation of the parties and the representations made to the Court on September 15, 2020 and for good cause shown, the Court finds that failing to exclude the time from October 6, 2020 through January 19, 2021 would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from October 6, 2020 to January 19, 2021 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from October 6, 2020 to January 19, 2021 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

The Court VACATES the status conference set for October 6, 2020 and RESETS the date for the next appearance in the case to January 19, 2021 at 9:00 a.m. for combined plea and sentencing.

With the consent of the parties, the Court REFERS Ms. Orozco to U.S. Probation for generation of a presentence report in advance of the January 19, 2021 sentencing.

IT IS SO ORDERED.

DATED: September 29, 2020


BETH LABSON FREEMAN
United States District Judge